

2005

Schiliro-direct-Gleeson

1 "Westies."

2 Q You mentioned you were coordinating supervisor for
3 organized crime.

4 Is that correct?

5 A Yes.

6 Q These other ethnic-based groups, are they also
7 investigated by the nine squads that are under the
8 organized crime program?

9 A Yes.

10 In addition, the Drug Squads have certain
11 responsibilities over those types of groups.

12 Q I direct your attention back to La Cosa Nostra
13 families.

14 Do they have a structure?

15 A Yes, they do.

16 Q Did they all essentially have the same structure?

17 A Yes.

18 Q Can you briefly describe what the structure is?

19 A The five La Cosa Nostra families are headed by a boss.
20 Underneath him is an underboss.

21 In the administration of that family is the
22 consigliere and also a number of capos and capodecinas
23 within the family.

24 And, underneath, are crews or made-members of the
25 family.

2006

Schiliro-direct-Gleeson

1 Q You mentioned a number of terms.

2 First, you mentioned the "administration."

3 What does the administration consist of?

4 A The administration consists of the boss, the underboss,
5 and the consigliere of the family.

6 Q Can you describe briefly to the jurors the duties of
7 those three positions?

8 A The boss of the family is the ultimate authority within
9 that family.

10 The underboss acts as his advisor and will act in
11 his place, should the boss become incapacitated.

12 The consigliere acts as an advisor to the capos in
13 the family and also to the boss.

14 Q Now, you mentioned two terms, "capos" and
15 "capodecinas."

16 Are they the same thing?

17 A Same term.

18 Q Are there other terms for that position, as well?

19 A They refer to capos as "skippers" and "caporegine."

20 Q In the hierarchy of the family, where do they fall?

21 A Underneath the consigliere.

22 Q The administration stops within the consigliere and the
23 underboss and the boss?

24 A Yes, that's correct.

25 Q What are the captains?

2007

Schiliro-direct-Gleeson

1 A The capos have responsibility for their crews, for the
2 members of organized crime that are within their crews, for
3 the day-to-day operation of those people.

4 Q What do the crews consist of?

5 A Members or made-members of organized crime.

6 Q You mentioned a term, "made-member."

7 Are there any other expressions that are used by
8 members of organized crime to describe that position?

9 A "Member" or "button", "good fellow."

10 Q Are there other people who are in the crews, besides
11 made-members?

12 A There are associates of those members and of those
13 capos, yes.

14 Q Are associates members of the family?

15 A No.

16 Q How do you become a member?

17 A In order to become a member, you have to be sponsored
18 by a member of that particular family.

19 You have to be Italian and, normally, you have to
20 participate in some criminal activity with that particular
21 family.

22 Q Whose approval, if anyone's, is needed in order to
23 become a member?

24 A First of all, the boss of that family has to approve
25 him, and they also need the approval of the other four New

2008

Schiliro-direct-Gleeson

1 York families.

2 Q So, in order to become a member of one family, you need
3 the approval of all five bosses?

4 A That's correct.

5 Q How is that approval obtained?

6 A In the first instance, the sponsoring individual will
7 get approval of the boss of that particular family, and
8 then a list is prepared and distributed to the other four
9 families, who have a right of veto over any particular
10 name.

11 Q Are there rules that apply to members of organized --
12 of La Cosa Nostra families?

13 A Yes, there are.

14 Q Can you give us some examples, please?

15 A First and foremost, they swear to silence, to the oath
16 of omerta.

17 They also pledge their allegiance to the boss and
18 their obedience to him, and they also take several other
19 rules to include not to harm another member of organized
20 crime.

21 Q Are there any rules that relate to the type of criminal
22 activity in which they are permitted to engage?

23 A Yes.

24 They are only allowed to engage in that activity
25 that is sanctioned by the family.

2009

Schiliro-direct-Gleeson

1 Q Agent Schiliro, have you heard the term -- in
2 connection with your investigations of organized crime,
3 have you heard the term "friend of ours"?

4 A Yes, I have.

5 Q What does that mean?

6 A A "friend of ours" refers to an individual that's been
7 formally inducted into one of the families.

8 Q You said "inducted."

9 How does that happen?

10 A There is a formal ceremony, after which the member
11 appears and is formally inducted within the family.

12 Q Who conducts that ceremony?

13 A Either the boss or a member of the administration can
14 conduct it.

15 Q Now, you mentioned there are five La Cosa Nostra
16 families in New York.

17 Is that correct?

18 A That's correct.

19 Q Approximately how many members are there, total, of all
20 five?

21 A Just a little under a thousand.

22 Q Is the size of each family controlled?

23 A Yes. The size of each family remains relatively fixed.

24 Q How?

25 A In order to induct a new member of a particular

2010

Schiliro-direct-Gleeson

1 organized crime family, he has to replace an individual
2 that has died.

3 Q An individual who is a member of the family?

4 A That's correct.

5 Q Has that always been the case?

6 A At least since 1957, yes.

7 Q Was there a particular event in 1957 that was of
8 significance to organized crime?

9 A 1957 was the Appalachian Crime Conference.

10 Q Where was that?

11 A Appalachia, New York. Upstate New York.

12 Q What was that, briefly?

13 A That was a meeting of the major organized crime figures
14 throughout the country, the major leaders of each family.

15 Q How did that meeting come to an end?

16 A It was detected, I believe, by the New York State
17 Police and they, in effect, put an end to that meeting.

18 Q In addition to the rules regarding limiting membership,
19 were there other rules adopted at the Appalachian
20 conference?

21 A One of the other rules -- the main rule, as a result of
22 the Appalachian conference, is a prohibition against the
23 families to participate in drug trafficking.

24 Q Was there a reason for that rule?

25 A Yes, there is.

2012

Schiliro-direct-Gleeson

1 MR. MITCHELL: Objection.

2 THE COURT: Overruled.

3 A Gambling, loan-sharking, labor racketeering,
4 infiltration of legitimate businesses.

5 Q Are there others, as well?

6 A Yes.

7 Q Can you describe briefly what you mean by gambling?

8 A Conducting illegal gambling operations to include
9 sports betting, numbers, the operation of illegal
10 casinos.

11 Q How about loan-sharking? Can you describe what was
12 meant by that?

13 A Loan-sharking is the loaning of money with usurious
14 rates of interests, with the threat of violence to collect
15 it.

16 Q What do you mean by labor racketeering?

17 A Labor racketeering is the control of a particular labor
18 union by an organized crime family.

19 Q Is that control exercised to make money for the family?

20 A Yes, it is.

21 Q Is there only one way or more than one way to do that?

22 A Controlling labor unions?

23 Q Is there more than one way to make money through the
24 control of a labor union?

25 A Yes.

MARY ANN STEIGER, CSR OFFICIAL COURT REPORTER

2013

Schiliro-direct-Gleeson

1 Q Can you give the jury some examples?

2 MR. MITCHELL: Objection.

3 THE COURT: Overruled.

4 A Basically, by controlling the labor union, the family
5 can assure that family-owned companies receive particular
6 contracts, that family-owned companies receive favorable
7 treatment from a labor union.

8 They can use the labors unions to shake down
9 non-family controlled companies.

10 They can also use the labor unions to enforce
11 rules regarding certain clubs -- for example, in the cement
12 industry, garment center -- by ensuring that territories
13 are policed.

14 (Continues on next page.)

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2014

Schiliro-direct-Gleeson

1 EXAMINATION CONTINUES

2 BY MR. GLEESON:

3 Q How -- could you give the jury an example of how --
4 withdrawn.

5 You mentioned a club.

6 What is a club?

7 A A club is an association of organized crime figures in a
8 particular industry.

9 Q Okay.

10 Are there examples, in the course of your
11 investigative experience, of such clubs?

12 A Yes, there are.

13 Q What industries?

14 A The cement industry and the carting industry.

15 Q How does a club work?

16 A A club works by basically establishing territories, by
17 establishing which companies are allowed to bid on certain
18 projects.

19 Q How, if at all, is the union used in connection with that
20 type of activity?

21 A If an outside contractor wants to come in a particular
22 territory, or bid on a particular job, the union itself would
23 cause him some trouble.

24 Q Okay.

25 MR. MITCHELL: A continuing line of objection to

GR

OCR

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CSR

2015

Schiliro-direct-Gleeson

1 this, Your Honor?

2 THE COURT: You have it.

3 MR. MITCHELL: Thank you.

4 Q What type of trouble?

5 A Causing labor unrest, enforcing the terms of the labor
6 contract to the detriment of that particular contract.

7 Q Agent Schiliro, are there other ways in which unions are
8 mentioned, as well?

9 A Yes.

10 Q Other ways in which they are used?

11 A Sure.

12 Q How is control over unions exercised by members of
13 organized crime?

14 A Basically in two ways. Usually a member of one of the
15 families is given the responsibility as the contact for the
16 particular labor union, and also the families place their own
17 members within the labor union.

18 Q You mentioned that you listened to some tape recordings
19 before you came to testify here in court?

20 A Yes, I did, that is correct.

21 Q Before we get to those, one more question, generally,
22 with respect to La Cosa Nostra families.

23 Is there any supervising body over the La Cosa Nostra
24 families in the United States?

25 A Yes.

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CSR

2016

Schiliro-direct-Gleeson

1 Q What is that called?

2 A That's commonly referred to as the Commission.

3 Q And who sits on the Commission, generally?

4 A Generally, the Commission consists of the heads of the
5 five New York families.

6 Q Let me show you some exhibits, if I may.

7 Q We will start with Book 1.

8 Have you seen that before, Agent Schiliro, correct?

9 A Yes, I have.

10 Q It consists of transcripts; is that correct?

11 A Yes.

12 Q Have you listened to the tape recordings of which those
13 are transcripts?

14 A Yes.

15 Q Now, did there come a point when you were asked to listen
16 to tape recordings to prepare to testify?

17 A Yes.

18 Q When was that?

19 A Approximately June or July of '91.

20 Q In addition to the ones in that book which we will listen
21 to today, did you listen to others?

22 A Yes, I did.

23 Q Where did you first start listening to tape recordings?

24 A In the Brooklyn/Queens office of the FBI.

25 Q When?

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2018

Schiliro-direct-Gleeson

1 other tapes, as well?

2 A Yes, I did.

3 Q In the BQ office?

4 A Yes.

5 Q Did there come a point when you began to discuss the
6 tapes with others?

7 A Yes.

8 Q Which others?

9 A At first, the members of the Gambino Family Squad, the
10 supervisor, the case agents.

11 Q Did there come a point when you began discussing the
12 tapes with other people, as well?

13 A Yes.

14 After that, the prosecutors involved in this case.

15 Q Did you meet with the prosecutors and the case agent and
16 other agents on the squad to prepare to testify?

17 A Yes, I did.

18 Q Based upon your experience investigating organized crime
19 and supervising such investigations, have you formulated
20 opinions regarding many of these conversations?

21 A Yes, I did.

22 Q Are you prepared to share some of your opinions with the
23 jury?

24 A Yes.

25 Q In listening to tapes, did you have your own set of

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Schiliro-direct-Gleeson

1 MR. GLEESON: Judge, we should point --

2 THE COURT: Do you have earphones?

3 MR. GLEESON: Behind each juror's chair is a set of
4 earphones.

5 THE COURT: If any of you have a headpiece that
6 isn't working, if you don't hear anything, just let me know
7 that by raising your hand.

8 All right.

9 (Tape plays; tape stops.)

10 EXAMINATION CONTINUES

11 BY MR. GLEESON:

12 Q Agent Schiliro, let me direct your attention back to
13 page 2 of the transcript.

14 This portion of the conversation involves only John
15 Gotti and Sammy Gravano, correct?

16 A That is correct.

17 Q Right at the beginning of the transcript, the first words
18 attributed to Gotti are:

19 All right, let me tell you what, Sam. I want to
20 throw out -- excuse me. I want to throw a few names out, five
21 or six.

22 Agent Schiliro, do you have an opinion regarding the
23 subject of this conversation?

24 A Yes, I do.

25 Q What is your opinion?

2027

Schiliro-direct-Gleeson

1 MR. MITCHELL: I object.

2 THE COURT: Overruled.

3 A At this point in time, they are getting ready to induct a
4 few members into the family and they are going to prepare a
5 list of proposed members.

6 Q Continuing on the next line, Gotti states:

7 I want guys that done more than killing. This
8 "Frankie Dap" wants to put this "Poncho".

9 When he states "I want guys", do you have an opinion
10 as to what he wants them for?

11 A He wants them to be members of the family.

12 Q Do you have an opinion based on this conversation as to
13 the role, if any, that "Frankie Dap" has in the Gambino
14 family?

15 A In the context of this conversation, "Frankie Dap" is a
16 member of the family.

17 Q And on what do you base that?

18 A On the fact that "Frankie Dap" is sponsoring a member or
19 proposed member by the name of "Poncho".

20 Q And can only a member sponsor someone else for
21 membership?

22 A That is correct.

23 Q Let me direct your attention to the bottom of page 3,
24 please. Three lines up from the bottom, Gotti states:

25 Let me tell you a couple of things before Frank comes

GR

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